

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AGUSTIN GUTIERREZ VALENCIA,

Defendant.

Case No. CR22-151 LK

DETENTION ORDER

Mr. Gutierrez Valencia is charged with conspiracy to distribute a controlled substance, 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and § 846. The Court held a detention hearing on October 20, 2022, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. There is a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e).
2. Mr. Gutierrez Valencia stipulated to detention.
3. Mr. Gutierrez Valencia poses a risk of nonappearance due to ties to a foreign country. Mr. Gutierrez Valencia poses a risk of danger due to the nature of the offense and his criminal record, including a prior conviction in this district for a similar offense, and possession of firearms.

1 4. Based on these findings, and for the reasons stated on the record, there does not
2 appear to be any condition or combination of conditions that will reasonably assure
3 Mr. Gutierrez Valencia's appearance at future court hearings while addressing the
4 danger to other persons or the community.

5 5. Taken as a whole, the record does not effectively rebut the presumption that no
6 condition or combination of conditions will reasonably assure the appearance of
7 Mr. Gutierrez Valencia as required and the safety of the community.

8 IT IS THEREFORE ORDERED:

9 (1) Mr. Gutierrez Valencia shall be detained pending trial, and committed to the
10 custody of the Attorney General for confinement in a correction facility separate,
11 to the extent practicable, from persons awaiting or serving sentences or being held
12 in custody pending appeal;

13 (2) Mr. Gutierrez Valencia shall be afforded reasonable opportunity for private
14 consultation with counsel;

15 (3) On order of a court of the United States or on request of an attorney for the
16 government, the person in charge of the corrections facility in which Mr.
17 Gutierrez Valencia is confined shall deliver him to a United States Marshal for the
18 purpose of an appearance in connection with a court proceeding; and

19 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
20 counsel for the Defendant, to the United States Marshal, and to the United States
21 Pretrial Services Officer.

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1 Dated this 20th day of October, 2022.

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4 MICHELLE L. PETERSON
5 United States Magistrate Judge
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